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# FEDEX PILOTS ASSOCIATION

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9 January 2002

VIA FEDEX OVERNIGHT DELIVERY AND INTERNET FILING

Docket Management System  
U.S. Department of Transportation  
400 7<sup>th</sup> Street SW  
PL-401  
Washington, DC 20590

DEPT. OF TRANSPORTATION  
DOCKETS  
02 JAN 10 AM 9:42

RE: Docket FAA 2001-10999 - 10

Dear Sir or Madam:

On behalf of the 4,200 domestic and international pilots employed by FedEx Corporation, the FEDEX PILOTS ASSOCIATION (FPA) submits these comments regarding Docket No. FAA-2001-10999, Criminal History Records Check.

FPA supports the criminal history checks for pilots who are hired after the effective date of the rule. However, we believe that the rule fails to acknowledge that currently-employed pilots have already undergone pre-employment background checks, and must report any convictions during their six or twelve-month FAA medical exam.

Furthermore, it appears that there is no due-process venue for a pilot who has previously reported a conviction during the 10-year look-back period. In that situation, the FAA has already approved the pilot's medical certificate, with full knowledge of his or her conviction. That individual may have performed flawlessly as a pilot, employee, and citizen during the last 10 years, with the FAA's full knowledge of his prior conviction, but under the proposed rule, his access to the flight line and his livelihood would now be in question.

Therefore, the rule should, at a minimum, provide a procedure for a due-process evaluation of each individual convicted pilot.

We appreciate the opportunity to comment on the proposed rule, and we respectfully request that our comments be adopted in any future amendments to the rule.

Sincerely,



Capt. David Webb  
FPA President



Capt. Mark Estabrook  
Chairman, FPA Security Committee